

Message Text

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PAGE 01 STATE 129401
ORIGIN DOEE-00

INFO OCT-01 EUR-12 EA-10 ISO-00 OES-07 IO-13 ACDA-12
L-03 PM-05 CIAE-00 INR-10 NSAE-00 EB-08 NRC-05
SOE-02 DODE-00 DOE-15 SS-15 SP-02 CEQ-01 NSCE-00
SSO-00 INRE-00 /121 R

DRAFTED BY USDOE:IA:ETMCFADDEN:BAT
APPROVED BY OES/NET:DHOYLE
USDOE:RNSLAWSON
IO/SCT: A JILLSON
ACDA:N HOLLINGSWORTH
L/OES: R SLOAN
EA/J: R CHRISTENSON

-----078574 221547Z /46

O P 221527Z MAY 78
FM SECSTATE WASHDC
TO AMEMBASSY VIENNA IMMEDIATE
INFO AMEMBASSY TOKYO PRIORITY

C O N F I D E N T I A L STATE 129401

USIAEA

E.O. 11652: GDS

TAGS: IAEA, TECH, PARM, JA

SUBJECT: PROPOSED U.S./IAEA/JAPAN SUSPENSION PROTOCOL

REF: A) VIENNA 03952; B) STATE 4661

1. RE PARA 2 REF A, AGENCY'S REASON FOR SUGGESTING
DROPPING CLAUSE IN QUESTION IS EVIDENTLY BASED ON LACK OF
INFORMATION AS TO PRECISE TEXT OF ARTICLE X OF U.S.-
JAPAN AGREEMENT FOR COOPERATION. IN THAT ARTICLE,
PARA A(2), JAPAN GUARANTEES THAT QUOTE NO MATERIAL,
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INCLUDING EQUIPMENT AND DEVICES, TRANSFERRED TO THE
GOVERNMENT OF JAPAN OR TO AUTHORIZED PERSONS UNDER ITS
JURISDICTION BY PURCHASE OF OTHERWISE PURSUANT TO THIS
AGREEMENT OR THE SUPERSEDED AGREEMENT, AND NO SPECIAL
NUCLEAR MATERIAL PRODUCED THROUGH THE USE OF SUCH
MATERIAL, INCLUDING EQUIPMENT AND DEVICES, WILL BE USED
FOR ATOMIC WEAPONS, OR FOR RESEARCH ON OR DEVELOPMENT OF

ATOMIC WEAPONS, OR FOR ANY OTHER MILITARY PURPOSE UNQUOTE.

2. THUS PRODUCED MATERIAL IS COVERED IN OPERATIVE PARA 3
OF DRAFT SUSPENSION PROTOCOL (AS GIVEN IN REF B PARA 3),
WHICH PROVIDES FOR JAPAN TO SATISFY IAEA AND U.S. THAT
NUCLEAR MATERIAL USED PURSUANT TO ARTICLE 14 OF JAPAN'S
NPT AGREEMENT IS NOT REPEAT NOT SUBJECT TO THE GUARANTEES

MADE BY JAPAN TO U.S. IN ARTICLE X OF AGREEMENT FOR
COOPERATION.

3. WITHOUT THE CLAUSE WHICH AGENCY SUGGESTED DROPPING,
OPERATIVE PARAGRAPH 3 OF SUSPENSION PROTOCOL WOULD COVER
ONLY THE USE OF NUCLEAR MATERIAL AND NOT REPEAT NOT ANY
OTHER MATERIAL, INCLUDING EQUIPMENT AND DEVICES,
TRANSFERRED PURSUANT TO THE U.S.-JAPAN AGREEMENT.
RETENTION OF THAT CLAUSE IS ESSENTIAL, THEREFORE, IN
LIGHT OF ARTICLE X GUARANTEE QUOTED ABOVE. VANCE

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Message Attributes

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Control Number: n/a
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Draft Date: 22 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
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Litigation Codes:
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To: VIENNA USIAEA MULTIPLE
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